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FAX COVER SHEET

TO	Examiner Patricia Leith
COMPANY	US PTO Group Art Unit 1655
FAX NUMBER	15712738300
FROM	Viviana Amzel
DATE	2007-08-10 00:44:31 GMT
RE	USSN 10/521,380

COVER MESSAGE

Dear Patricia

Thank you for agreeing to a personal interview on such short notice. I will be discussing your comments and advise with the applicant and prepare a response as soon as I receive the Supplemental Action you mentioned.

I am attaching as Letter to the PTO requesting that the response (draft claims) sent August 3rd be vacated, since it was sent in error to the official PTO fax number instead of your personal number. The fax was intended to reach you in preparation for our interview of this Monday.

Best regards. Viviana Amzel

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl of: T. J. McArthur : Appl. Reference No. PHEA-001
Serial No: 10/521,380 : Group Art Unit: 1655
Filed: January 18, 2005 : Examiner: Dr. Patricia Leith
For: **VEGETABLE & FRUIT DERIVED COMPOSITION,
PREPARATION METHOD & USES**

LETTER TO US PTO

Commissioner for Patents
P. O. Box 1450
Alexandria Virginia 22313-1450

Sir/Madam:

The applicant hereby requests that the document inadvertently faxed to the US Patent & Trade Mark Office, instead of the examiner's personal fax number, on August 3rd, 2007 be vacated.

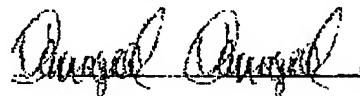
REMARKS

In advance of holding an interview with the examiner, the applicant faxed a set of proposed claims for her review. Although the document was labeled DRAFT it was faxed to the official fax number, and may have been officially entered in this application.

FINAL COMMENTS

In view of the foregoing remarks, this application is believed to be in condition for examination based on the applicants to be filed response to the Official Action dated July 25th, 2007, on the merits, and for allowance. Early notice to the effect of the applicant's request for vacating is hereby solicited.

Respectfully submitted,
PHENIX EAGLE PTY



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VIA FACSIMILE
571-273-8300

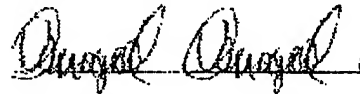
Sir/Madam:

The applicant is hereby submitting via facsimile the following documents:

- 1- Letter to PTO (Requesting vacating of August 3rd, 2007 faxed claims).
- 2- This Cover Sheet.

Respectfully submitted.

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PHENIX EAGLE PTY



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